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Case No.: 2:12-cr-00301-APG-CWH

ORDER

Defendant.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

September 20, 2013

Dear Honorable Mr. Andrew P. Gordon,

I feel like I need to write and try to explain some things after reading the Presentence Investigation Report. I made several objections over some errors in the report, it seems like no one will check on anything to get to the truth of the matter. A couple of examples, I was told the phase of "unhealthy attachment" to (L.V.) came from Pretrial. Everybody I asked in pretrial said they never said that and to the contrary everyone said I was the perfect defendant going through this.

It also stated that I "alleged" to have contacted her (L.V.) but yet when the probation office talked to her for the presentence report, she stated that I had not contacted her. I did call her the night before my interview with the IG agents. No one told me she was a witness! Not one person told me and then they tell me *I contacted a witness. Is there a witness rule book out there somewhere? I do not watch crime TV this is all new to me. If someone would have told me, I would have never called her the night before. I told the IG agents I did, I did not lie about it. After they told me she was, I never had contact with her afterwards. In reading the response to my objections, every one of them says because the investigating agents report says it, it is staying that way. How many people are in jails because no one wanted to follow up on a few questions? The Probation officer states in his talk with Lupe she said No, right below the officer says I did according to the IG people. Did the officer not just ask her on the phone? Un believable.*

Your Honor if you could just please bear with me for a few more minutes of your time, I would like you to know a few things that are not true in the report and I have the proof ,I think it's in my best interest to start at the beginning. After meeting (L.V.) we started dating I would say approx. 2001. About the same time I sent off some e-mails to our GSA legal counsel in San Francisco asking if they could spare a few minutes to talk to me about a personal matter, I never said in the e-mail what it was about. I believe the attorney was Margaret Haggerty. I wanted to talk about my relationship with L.V. but I never received a reply back. I wish I would have looked for the e-mails when all this came up but I never thought of it. I was renting a condo down the street from (L.V.) and I would have

to say I moved in with her in her house about late 2001. My daughter had her own room there also; I was going through a divorce and had her every other weekend.

We lived together from that time to when she left to move to California to be with her family. I believe in late 2007, so that makes six years I don't know where *it came from that we lived together only eighteen months*, but the U.S. Attorneys are steadfast on it. It was no surprise that she was moving; she gave me a year to find a GSA job to transfer to so we could be together. I looked for a GSA job I could transfer to in that year but all the GSA jobs were in other parts of California *that were just way too far away, hundreds of miles. We didn't end on a sour* note; she even left me some things of hers to use that meant the world to her. I thought I would take some time off and only called her a couple of times.

Five to six months went by and all of a sudden we started talking to each other more frequently, than we started to see each other again. Her son didn't want me staying in the house she was staying at in Palmdale CA.; didn't look good for the grandkids, so she would drive to Las Vegas and stay the weekends with me. I even met her half way a couple of times at the Holiday Inn in Victorville.

Her son Frank died somewhere in that time or maybe just before. I really liked Frank, if anybody was going places it was him, he had the world in his hands. He was young way too young to die, I once told L.V. I would trade places with him if I could, I've seen the world and done many things.

She (L.V.) moved out of the Palmdale house and rented a one bedroom flat in Bellflower California. Now I was driving out to Bellflower every chance I got to spend the weekends together. She would take me sightseeing one time we went to Los Angeles zoo. We talked about marriage; she was wearing a ring I gave her. In-between Palmdale and Bellflower if any training came up at work in California and if I had a choice of LA or San Francisco I always requested LA so we could be together, she would come and stay at the hotel I was staying in.

Even when she was living in Bellflower she would drive to Las Vegas to see each other to kind of take turns to give each other a break from the driving. When

problems arose at work and she had to come to town, she would check in at the hotel and leave the hotel to stay with me. Only a very few times maybe she spent a night or two at the hotels. I have personal cards from (L.V.) birthday cards, etc. that are dated. I have rental car reservations that I used to pay the deposit on, I have airline itineraries, and sometimes I would pay for her to fly instead of driving. I have dated voice mails from (L.V.) on my cell phone.

So why am I telling all of this? The time frame, back to the eighteen months, it was a lot longer than that, 2001 to 2007 and add a few more after she moved to California, approx. nine years we were together. It has to do with Ruben Lopez saying that I gave his company Tried & True Cleaning bad evaluations because (L.V.) broke up with me and moved to California and that was the reason he lost the new contract because of the bad evaluations. That thought never crossed my mind, how could it, we were in a good relationship (L.V.) and I. I did what my boss instructed me to do concerning the evaluations after my boss and I walked the buildings.

It had nothing to do with (L.V.) leaving Las Vegas; we were still seeing each other. He goes on to say that I kept hounding him (Ruben Lopez) and demanding to bring L.V. back out to Las Vegas. *(L.V.) had just recently just lost a son named Frank, she was going to his gravesite three or more times a week and then add twenty grandkids she has there in California, there is no way I would even think about asking her to come back to Las Vegas, she needed her family very much at the time and even if her son didn't pass she lived for her grandkids.*

The IG people outfitted Ruben Lopez with a microphone to record our conversations at lunch one day. Ruben is on the tape recording asking me about bringing (L.V.) back to Vegas, I lost track how many times he asked me, I never said not even once to bring her back, it's on the tape-recording. Then he goes on to say that I gave the evaluations to NISH/Ability One who evaluates the different workshops who compete for the various cleaning contracts in the buildings. I can't explain how it works, its above my head but let me say this, the performance evaluations for Tried & True Cleaning never left my office till the IG people took the files. The only evaluations that left the office besides the files that

the IG people took was the one or maybe two evaluations Regina Willis (my immediate supervisor after Barbara Peyton) did herself and mailed off to the contracting officer who over sees the contract out of San Francisco which we are required to do. There is a time limit to fix the deficiencies or money is with held on the contract. Why they never left my office? I hate to say this, I hated to do paper work, ask anybody in my office. You have to do a certified letter than my boss Barbara Peyton has to approve it before it gets sent out and when she reads it, it come back to me with red ink marks all over it to correct this and to correct that, this sentence needs to be at the bottom, this one needs to be at the top, etc., etc. I hated paper work and my boss Barbara was always hounding me about me not doing my paper work.

Here are names of two people who work at NISH/Opportunity Village that I have dealt with in the past. I have never given them any paper work concerning *Tried & True Cleaning*; *it's not in GSA's best interest to share things of this nature.* Dawn Hull Senior Operations Manager and Bill Risley Director of Service Contracts.

Why didn't Ruben Lopez wear a microphone the day Ruben and his brother hammered on me for over an hour to make some phone calls to the GSA people who write the contracts and tell them to award it to Ruben, " come on Underhill you have a lot of pull, call them " I don't see that in the IG report , again it's all one sided about Ruben Lopez and his lies.

The GSA IG investigators made this whole thing out to be one sided. If you listen or rather read the excerpts from the tapes Lisa asks the questions are all loaded one side questions. For instance (L.V.) states Mr. Underhill has never threatened me, Lisa answers have you gotten a restraining order? Lisa answers, you need to do that. Why she needed to say that is beyond me, she said it to discredit me in all of this. At times I felt like they were working strictly for Ruben Lopez *Tried & True Cleaning*. The GSA agency that they are working for is never brought up. There are a lot of questions that start off discrediting me and putting the answer to their question into the mouths of the people they interviewed so it comes out the way they want it to.

In the meantime Ruben Lopez filled a lawsuit in California against GSA for not getting awarded the new contract. While that was in court we were ordered for a year not to bring Opportunity Village onboard till the case was over. In the meantime we brought in Kcorp Technology Services Inc. a minority owned business, I dealt with their Northwest Regional Manager Ed Simon. I also have not talked to him since all of this started. They also received bad grades on some of the work they were doing, and also good grades, the maintenance company in the buildings Aleut Maintenance receive bad grades sometimes along with the good grades, as with the elevator company that takes care of the elevators they receive bad grades sometimes along with the good grades. I could go on and on, no one is singled out. It's all part of running the contracts which are performance based. The IG also failed to say, that Ruben Lopez had the cleaning contract for over ten years and in that time he was awarded other contracts like the two hundred and fifty thousand dollar landscape award there at the George plus others.

In the meantime Ruben Lopez loses his lawsuit with GSA. He appeals it out on the east coast. He is supplied information which I think is supplied to him by the GSA IG People. *All of this info about me, (L.V.) and our relationship is in it, and how I supposedly gave his company the bad grades because of us (L.V.) and I allegedly breaking up to lose the new contract.* By the way this appeal was kept very very quiet so I and our GSA field office here in Las Vegas were not aware of it. *They went out of their way to keep it hush hush. I don't remember how I came across it on the internet but I remember having to pay money to read it on one of the courts websites.* I truly believe the GSA IG People gave Ruben Lopez the info which goes back to my earlier comment that I felt at times the IG people were working for Ruben Lopez. *Here is another interesting bit of information; I was not arrested till after Ruben Lopez appeal was over with. Imagine that. From what I read on the court website GSA settled out of court with him. I was not called at all to give my input and or to defend my reputation.*

Your Honor, you don't know how bad I feel when I walk into this building; the George building was my baby. I was here and severed on the construction board, I helped to raise this building out of the dirt. I was in charge of the punch list that

was like a six inch book. I have gotten to know everyone inside this building, even their personal sides. This building is like a family to everyone in it. Walk around and ask people about me. Lance Wilson and I had a special bond and we got the tasks done that are always asked of us. We all felt a part of hurt when Stan Cooper was fatally shot in the rotunda. I stayed late that night in charge of the cleanup, I seen what other people never saw. I witnessed the blood and all that goes with it. I saw a private moment the head Marshal was having sitting in a chair in the rotunda looking at it all probably wondering why Stan, why this building, why did this have to happen.

I feel ashamed of the things I did and it will always be with me on the inside. When I walk in the building I feel as though people are looking at me and asking why. Ruben Lopez and I were friends ten years ago. He told me if I ever needed anything just to ask him. I did ask for the loan. My Mother was dying of cancer up *in Minnesota, when my Father called me they were giving her her last rites.* I believe she held on till I arrived. At the time maybe I wasn't thinking straight or the way it would look down the road. But I was wrong in asking him for it, even though I paid it back. I deeply regret it and I apologize to the people I let down by *doing it.*

As for Lupe and I, we were young, we fell in love. I have never taken advantage of her and I am sure she would tell you that. Yes the e-mails were bad, I feel ashamed that I sent them to her and I know as I know her that I hurt her down deep inside. I never threatened her, none of the e-mails said if you don't do this I'll break your legs or give you a black eye. I could never hurt her. My daughters used to call her Mom. The e-mails were not very nice at all, very hurting. I am very upset with myself, I can see the pain I caused and I would never do this again. I reach deep inside of me to ask why and I come up empty and I did this I ask myself, its not me. Could have been all the pressure I was going through.

When The IG investigators were asking me the questions about Lupe and I, I never heard them ask me the first time. It was all mixed up questions, I was being asked about the GSA conference at the same time. I never heard the question the

first time around and how I answered it is something I will never understand, but still they charged me with lying. One of the charges.

Working in the building and seeing the people being brought in for the crimes they have done and now I am on the other side along with them. I am not like that; I have not even a speeding ticket or any kind of ticket in the last twenty years. I am religious I believe in God. I volunteer in the community. In the twenty eight years I have worked for GSA I have never been wrote up or broke any laws.

Because of this I had to retire early so I did not get in enough time to collect a full retirement check, I now am looking for a job. I cannot pay my bills with the little *amount coming in. I lost a hundred thousand dollar a year job because of this; you* talk about punishment so I hope you take that into consideration. I also have to find a job. My whole life has been in property management; now with a felony no company is going to give me the keys to their property. If I am good for a period *of time your choice how long, maybe this can be downgraded to a misdemeanor* or something. I am to old to change job professions. Retirement is supposed to be good, a time to relax and to have fun, not the case for me, I think about this all the time and what's going to happen to me. I am a good person, I also feel like I *was guilty with the IG people even before I was interviewed. I also feel like there* was a big push to convict anyone because of the GSA conference blow-out. I have heard that they are not going to bring charges against anyone that dealt with the GSA conference. There was a lot of contracting laws broke and no one is going to be held accountable! I feel like I am taking the brunt for that also.

My boss Barbara Peyton and Regina Willis who was my immediate supervisor under Barbara were two out of the few people who broke laws at the GSA Conference accepting a room that was paid for by the M Resort, that room was a suite well over \$260.00, I take a twenty five dollar lunch from Ruben and my name is splashed all over in the newspapers. Why weren't theirs? Were they charged with anything? No, will they be charged? I doubt it but the IG people in the investigation *don't bring that up in the report just their comments to discredit* me. Talk about the IG people being one sided. I could go on about how a person had to walk on egg shells because of the hostile environment there in the GSA

field office, but now is not the time. I am going to keep tabs if they get charged or not though.

Lupe's son Richard states in the IG report that I spend a large amount of money in the casinos; I have never in the entire time I have known Lupe to go into a casino with Richard. It never happened. I used to receive calls from Lupe about tractor trailers full of merchandise that was stolen that he was selling, tennis shoes one time. Also lets take the time that Richard shot Lupe's ex-husband in the leg in an argument, the police arrive Richard is nowhere to be found; the neighbor hid him till the police left. What's the statute of limitations on that one? I didn't see that in the IG report. Like I said it's all one sided.

Let's take Lisa Directo who works in the GSA Nevada Field Office. Always comes in late, eyes bloodshot, every office has one. She used to come in my office every morning sit down and ask what's the latest going is on with the IG people and "hey don't worry its safe with me I would never tell anyone". Know what? I trust people to much that is one of my faults and after this, it's going to be a long time till I do. Anyway turns all this info I was telling her goes right to the IG people. It's like they arranged for her to do this which would not surprise me at all. Like I said it's all one sided.

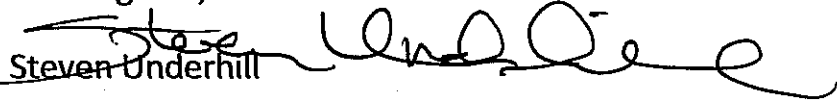
Now when the IG are in town, they just stop in the GSA office like they work out of it or something, still talking to the people there about me but my attorney never receives any papers about their visit. All one sided like I have said throughout this letter.

I am going to end this now and I want to thank you for your time out of your busy schedule to read this. If nothing else I hope you came away with a better understanding of what this is all about. In the IG reports, it is all negative about me, they were out to destroy me and they did and they just didn't hurt me, they also dragged Lupe into it and turned her life upside down. And I truly believe this wasn't about GSA laws or ethics, it was all about the IG people and Ruben Lopez. I

never had a problem before with any other contractors and that's all contractors, build outs, construction, sub-contractors, you name it.

Oh, just one other thing Your Honor, I don't know if you are aware of this, Lupe works in the federal building where the Los Angeles U.S. Attorney's office is located, they know her that's why I believe the charges were filed out of that office, preferred treatment I don't know but It kind a looks that way. The local U.S. Attorney who we were trying to deal with the plea agreement it was like "here take it or leave it" attitude thrown at us. You can't help but see how one sided this is. I truly believe that a third party needs to look at all this. After this is done, I am going to work to restore my name. Again, thank you for your time.

Kind regards,


Steven Underhill